

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

EDWIN HERNANDEZ,  
ARLES GRANADOS LAZO,  
JOSE ORTEZ, YERLIN ORTEZ,  
MARTIR SORTO, AND  
SANTOS VELASQUEZ,

Plaintiffs,

v.

GOLDEN APPLE, INC., POMODORO  
NORTH END, INC., MATT MURPHY'S  
PUB, INC., SIOBHAN CAREW,  
AND JONATHAN PELL,

Defendants.

Civil Action No. 1:13-cv-10394-WGY

**PLAINTIFFS' MOTION TO AMEND THEIR COMPLAINT**

Pursuant to Fed. R. Civ. P. 15(a), the Plaintiffs move to amend their complaint to allege that Defendants Siobhan Carew and Golden Apple, Inc. violated the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 215(a)(3), by filing factually and legally baseless counterclaims against Plaintiff José Ortiz in retaliation for reporting their illegal compensation practices to the Department of Labor and for bringing the instant FLSA suit against Defendants and to make various changes reflecting the dismissal of claims against former Defendant Jonathan Pell. In support thereof, Plaintiffs rely on the attached Memorandum of Law.

WHEREFORE Plaintiffs respectfully request that the Court grant their motion to amend their complaint.

Respectfully Submitted,

EDWIN HERNANDEZ, ARLES GRANADOS  
LAZO, JOSE ORTEZ, YERLIN ORTEZ,  
MARTIR SORTO AND SANTOS VELASQUEZ  
By Their Attorney,

/s/ Michaela C. May

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Dated: January 27, 2014

**CERTIFICATE OF CONSULTATION**

I, Michaela C. May, hereby certify that I conferred with Defendants' counsel of record in advance of filing this motion in a good-faith attempt to resolve this issue, but that we were unable to reach an agreement that would forego the necessity of filing this motion.

/s/ Michaela C. May

Michaela C. May, Esq.

**CERTIFICATE OF SERVICE**

I, Michaela C. May, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

/s/ Michaela C. May

Michaela C. May, Esq.